

### **REMARKS**

The foregoing amendment and the following arguments are provided generally to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claims 1-28 were rejected. Claims 1, 8, 11, 18 and 21 have been amended. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. No new matter has been added.

#### **Rejections Under 35 U.S.C. §112**

Claims 27 and 28 were rejected under 35. U.S.C. §112 as failing to comply with the written description requirement. Claims 27-28 have been canceled.

#### **Double Patenting**

Claims 1, 3-6, 9, 11, 13-16, 19 and 21-26 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 and 18-28 of U.S. Patent No. 6,636,590. A terminal disclaimer is submitted to overcome the obvious-type double patenting rejection.

#### **Rejections Under 35 U.S.C. §103**

During an interview with the examiner, it was agreed upon to amend the current independent claims to indicate the claimed operations were performed while the user remains on the audio connection. It was agreed upon that such amendments would have the current claims be patentable over the current cited prior art.

**CONCLUSION**

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

Respectfully submitted,

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